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EEL News Service

Issue 2015/14 of 11 November 2015

Dear members of the EEL Network,

The CJEU has imposed a penalty fee on Greece ('Case Law'), MEPs have backed emission limits for medium-sized combustion plants, agreed on new national caps on air pollutants ('Air) and voted on GM food and feed; the [mid-term review of the EU's Biodiversity Strategy](#) has been published ('Nature and Agriculture'), the Volkswagen scandal has unfolded further ('Transport') and the new circular economy package is beginning to take shape ('Waste'). Moreover, find recent news about the developments in the run up to the Paris conference under 'Climate Change'.

A new dossier is available on the EEL website concerning [Norway's coal divestment](#).

Case Law



CJEU: C-167/14 Commission v Greece (15/10/2015)

[Full judgment in French/Greek](#)

This case concerns Greece's persistent failure to ensure that all its agglomerations are equipped with systems for collecting and treating urban waste water, in accordance with Council Directive 91/271 on urban waste water treatment. These failures led to a CJEU judgment in 2007 (C-440/06). Although Greece subsequently brought several agglomerations into line with the requirements of Directive 91/271, five were still unresolved at the hearing for the present case. Consequently, the CJEU held that Greece had breached its obligation to comply with the 2007 judgment.

The Court imposed pecuniary sanctions in the form of both a periodic payment fine and a fixed sum payment. In calculating the fines, the Court took note of the progress made by Greece in bringing most of its agglomerations into compliance with the Directive, the duration of Greece's persistent infringement and Greece's reduced capacity to pay. The Court settled on a sliding-scale periodic fine of €20,000 per day, to be paid every six months-the actual amount of the fine to be calculated at the end of every six month period and reduced by a percentage corresponding to the proportion of agglomerations that have been brought into compliance- and imposed a fixed sum of €10 million.

General



EurActiv Article: EU agri-food industries draw 'red lines' in TTIP battle

(16/10/2015)

European agri-food business organisations have drawn their "red lines" ahead of the eleventh round of EU-US trade talks which took place 16-23 October 2015, expressing serious concerns over access to the US market for their products.

EurActiv Article: [INFOGRAPHIC: Not all SDGs were created equal](#)
(19/10/2015)

The investment needed to achieve the 17 Sustainable Development Goals adopted by the UN in September varies greatly.

Air



EurActiv Article: [Capping emissions from medium-sized combustion plants](#)
(07/10/2015)

Proposed EU [sulphur dioxide and nitrogen oxide emission limits for medium-sized combustion plants](#), such as electricity generators or heating systems for domestic, residential or industrial use, have been backed by MEPs. 'This legislation fills a legislative gap, a loophole that we have between the ecodesign directive, which sets out standards for combustion plants of less than 1MW and the industrial emissions directive, for those over 50MW', said Andrzej Grzyb, who is steering the legislation through Parliament. The Parliamentarians endorsed the agreement negotiated with the Council by 623 votes to 70, with 12 abstentions. For new plants, the limits will take effect within three years. For existing ones, the limits will come into force from 2025.

European Parliament Press Release: [Air quality: MEPs approve new national caps on pollutants](#) (28/10/2015)

EU Commission plans for more ambitious national caps on emissions of six key pollutants, including NO_x, particulates and sulphur dioxide, were endorsed by the European Parliament. Air pollution causes about 400,000 premature deaths in the EU yearly, and the plans could save up to €40bn in air pollution costs by 2030.

EurActiv Article: [MEPs vote to cap some agricultural emissions, but not cow burps](#) (28/10/2015)

The European Parliament backed proposed caps on methane and ammonia in draft legislation to reduce air pollution, setting up tough negotiations with the Council of Ministers over the bill. But, after pressure from Europe's farming lobby, MEPs gave an exemption to enteric methane. Enteric methane is mostly caused by animals like cows burping. It represents a "significant share of methane emissions" from agriculture, according to the European Environmental Bureau (EEB).

Climate Change



EurActiv Article: [Bank of England head warns of 'catastrophic' climate change](#) (30/09/2015)

"The challenges currently posed by climate change pale in significance compared with what might come," Mark Carney, governor of the Bank of England, told business leaders in a speech in London after the publication of a [report by the bank](#).

Alice Garton, Lawyer at ClientEarth, said: "The Bank of England's report should sound warning bells for anyone working in the financial sector. It says climate change is an immediate, material business risk."

EurActiv Article: [Unions call for cash for carbon dependent regions](#) (02/10/2015)

National trade unions met in Paris for the Congress of the European Trade Union Confederation (ETUC). While recognising the need for action to fight climate change, unions demanded that Europe works for “a just transition towards a sustainable green economy, creating quality jobs and driving investment towards low-carbon technologies and infrastructures”. The idea behind a “just transition” is to ensure that workers with climate-intensive jobs are helped to find alternative jobs and are integrated into the policies and plans that will effectuate a transition towards a low-carbon economy.

EurActiv Article: [Green Climate Fund set for launch before COP21](#) (05/10/2015)

The first projects of the Green Climate Fund could be under way as early as November but it still has not been able to collect all of the financial contributions promised to it by various donor states.

The Green Climate Fund (GFC) was founded to manage a significant portion of the \$100 billion annual fund promised by rich countries to help the developing world adapt to climate change. The first projects of the Green Climate Fund could be under way as early as November but it still has not been able to collect all of the financial contributions promised to it by various donor states. It currently has an annual budget of \$700 million.

EurActiv Article: [Climate finance: The Global North is failing on its \\$100 billion promise](#) (09/10/2015)

A report by the OECD has found that efforts will need to be stepped up if developed countries plan to honour their promise of providing \$100 billion per year to the Global South from 2020.

[OECD Report: Climate Finance in 2013-2014 and the USD 100 billion goal.](#)

EurActiv Article: [Europe's regions take climate finance into their own hands](#) (09/10/2015)

The EU's cities and regions are compensating for the lack of climate finance available by issuing their own "green bonds" for sustainable development projects.

EurActiv Article: [UN climate change panel elects new leader](#) (07/10/2015)

The Intergovernmental Panel on Climate Change (IPCC) has elected South Korean Professor Hoesung Lee as its new chair. In his application letter for the post that he has been awarded, Lee promised to facilitate the creation of regional centres of excellence for climate research, adaptation and greenhouse gas reduction. His most important priority is the implementation of growth models that can both overcome poverty and preserve the Earth's atmosphere.

EurActiv Article: ['Sanctions' and 'punishment' barred from COP21 vocabulary](#) (12/10/2015)

EurActiv Article: [If COP21 cannot deliver a 2°C deal, what must it do?](#) (20/10/2015)

With eight weeks until the close of COP21, it's now clear how much more ambitious world leaders' commitments must become in order to prevent irreversible climate change, writes Jeremy Woods, Climate-KIC programme leader at Imperial College, London.

EurActiv Article: [One month to COP21, nations cannot agree on meaning of decarbonisation](#) (22/10/2015)

European Commission Articles: [EU Commissioner: Political push needed to bring climate talks to next level](#) (24/10/2014)

The UN climate talks in Bonn 19-23 October made some progress. The week culminated in a draft text, recognised by all Parties as [the negotiating text for Paris](#), but which leaves many political options open and thus requires considerable further work ahead of and in Paris.

EurActiv Article: [Deforestation 'may have started west Africa's Ebola outbreak'](#) (30/10/2015)

European Commission Press Release: [Climate change: EU shows leadership ahead of Paris with 23% emissions cut](#) (20/10/2015)

The European Union is on track towards meeting and overachieving its 2020 target for reducing greenhouse emissions by 20%, according to the "[Trends and projections in Europe 2015](#)" report published today by the European Environment Agency (EEA). Greenhouse gas emissions in Europe decreased by 23% between 1990 and 2014 and reached the lowest levels on record.

Latest projections by Member States show that the EU is heading for a 24% reduction by 2020 with current measures in place, and a 25% reduction with additional measures already being planned in Member States. The EU is already working towards its 2030 goal of an emissions reduction target of at least 40% — the EU's contribution towards the new global climate change agreement in Paris in December.

European Commission Press Release: [Global Climate Change Alliance+ Launch: EU's contribution to tackle climate change in developing countries](#) (29/10/2015)

EU Commissioner for International Cooperation and Development, Neven Mimica, launched Global Climate Change Alliance plus] ([GCCA+](#)), which will run until 2020. The GCCA+ is set to become one of Europe's key tools to assist the world's most vulnerable developing countries in addressing global climate change. Around €350 million of EU funds will be made available until 2020 for the GCCA+, in addition to the private and national public investments that this financial support is expected to leverage.

Asser EEL Dossier: [Norway's Coal Divestment: An Example to Follow](#) (11/11/2015)

On the 5 June 2015, the Norwegian Parliament voted unanimously to divest Norway's \$870 billion sovereign wealth fund from coal. The Government Pension Fund Global is the largest sovereign wealth fund in the world. As the biggest divestment from coal until date, this announcement gives great impetus to the divestment campaign and may incentivise other States and investors to follow suit.

Energy



International Energy Agency Report: [Renewables to lead world power market growth to 2020](#) (02/10/2015)

'Renewable energy will represent the largest single source of electricity growth over the next five years, driven by falling costs and aggressive expansion in emerging economies.'

EurActiv Article: [Offer investors in booming renewables security, IEA tells governments](#) (02/10/2015)

'The share of renewable energy in global power generation will rise to more than 26% by 2020, 3% up on 2013's 22%. The IEA said it will be a remarkable shift in a very limited time period. China alone will account for nearly 40% of total renewable power capacity growth and requires almost one-third of new investment to 2020.'

Meanwhile, several EU governments have changed their levels of support for renewables. In particular, retroactive cuts in subsidies have scared off investors.

Politico Article [Europe's energy \(dis\)union](#) (06/10/2015)

A guide to one of the Juncker commission's signature initiatives.

'The EU executive has a list of 43 items that have to be implemented before its mandate expires in 2019. On the list: redesigning the European electricity market, doing a better job of linking countries' pipelines and grids, empowering consumers, creating a liquefied natural gas strategy for Europe, shopping around for new gas suppliers, figuring out how the bloc can meet its renewables goals for the next decade, speaking with a single voice when dealing with a major energy supplier or on global climate action, and more.'

EurActiv Article: [EU heating strategy draft favours renewables and district heating](#) (08/10/2015)

The Commission plans to formulate recommendations on heating and cooling with a view to update EU energy legislation and possibly draft new directives in 2016.

In five "issue papers", seen by Reuters, the Commission presents options for a heating and cooling policy more focused on renewable energy and district heating systems that bring hot water into homes via underground pipelines.

The papers state that the use of renewables in heating should be boosted with tax measures, public procurement and public investment to stimulate the development of markets.

EurActiv Article: [Auditors find that German nuclear providers can afford phase-out](#) (13/10/2015)

EurActiv Article: [EU urged to make nuclear costs more transparent](#) (03/11/2015)

Europe needs banking-industry style regulation to bring more transparency to the costs of decommissioning nuclear reactors, consultancy Capgemini said in its [17th European Energy Markets Observatory](#).

Ecofys News: [Deep renovation could save billions in grid investment](#) (15/10/2015)

Renovating the European Union's building stock for energy efficiency will save €80 to €153 billion of investment costs into the bloc's power system by 2050, new research by Ecofys shows.

Find the report [here](#).

EurActiv Article: [Cañete calls on cities and regions to focus on energy efficiency in buildings](#) (15/10/2015)

Climate Commissioner Cañete told representatives of Europe's cities and regions to focus their climate change efforts on energy efficiency and especially the renovation of buildings.

"Cities are at the heart of the fight against climate change," he said, "it's where most of us live and where most of our energy is consumed." 75% of homes in the EU were inefficient, he added, and smart renovation could cut up to 40% of the bloc's energy consumption.

World Bank Feature Story: [Heads of State, City, Regional and Business Leaders Unite to Call for Price on Carbon](#) (19/10/2015)

Six heads of state issued a joint statement through the World Bank, urging governments and businesses to set up carbon markets and tax carbon emissions. The joint statement was issued on the first day of the final round of negotiations in Bonn, Germany (19-23 October 2015), before the COP21 in Paris in December 2015.

EurActiv Article: [Commission plans scheme to boost energy efficiency investment in buildings](#) (04/11/2015)

The European Commission initiative, to be launched in 2016, will make it easier for smaller energy efficiency projects, such as building renovations, to get EU funding.

The plan is mentioned in a leaked draft of the executive's forthcoming State of the Energy Union report. It is being finalised after EU leaders broadly agreed the Energy Union strategy to bolster the EU's resistance to shortages and fight against climate change.

Nature & Agriculture



European Commission Press Release: [Protecting Europe's nature: more ambition needed to halt biodiversity loss by 2020](#) (02/10/2015)

The [mid-term review](#) of the [EU Biodiversity Strategy](#) assesses whether the EU is on track to achieving the objective of halting biodiversity loss by 2020. The results show progress in many areas, but highlight the need for much greater effort to deliver commitments on implementation by Member States. Nature's capacity to clean the air and water, to pollinate crops and to limit the impacts of catastrophes such as flooding is being compromised, with potentially significant unforeseen costs to society and our economy.

[Mid-term review Summary: progress towards the 2020 biodiversity targets.](#)

New Scientist Article: [More than half of EU officially bans genetically modified crops](#) (05/10/2015)

Nineteen of the 28 EU Member States have decided to ban the cultivation of genetically-modified organisms in all or part of their territory. This opt-out mechanism was agreed upon in [April of this year](#), amending [Directive 2001/18](#) and permitting Member States to ban the cultivation of GMOs without having to present any scientific justifications therefor. The effect is that Member States can ban GMOs that have been judged to pose no risk to human health or the environment. Germany, France, the Netherlands, Austria and Italy are among those opting for a total ban.

A similar proposal to allow Member States a similar opt out- relating to GM fodder- has met a great deal of opposition among MEPs, with a [majority rejecting the proposal](#).

European Parliament Article: [Eight things you should know about GMOs](#) (27/10/2015)

European Parliament Press Release: [Parliament rejects national GMO bans proposal](#) (28/10/2015)

A draft EU law that would enable any EU member state to restrict or prohibit the sale and use of EU-approved GMO food or feed on its territory was rejected by the European Parliament by 577 votes to 75 with 38 abstentions. Members are concerned that the law might prove unworkable or that it could lead to the reintroduction of border checks between pro- and anti-GMO countries.

European Commissioner for Health and Food safety Vytenis Andriukaitis has said that the European Commission will not withdraw the legislative proposal, which will be discussed by EU ministers.

EurActiv Article: [EU lawmakers reject national bans on GM food, feed imports](#) (29/10/2015)

EurActiv Article: [Agri-giants pull GM maize out of Germany](#) (04/11/2015)

European Commission News: [Commission outlines multiannual plan for EU Forest Strategy](#)

Aimed at ensuring the long-term sustainable management and development of forests in the EU, the [Multi Annual Implementation Plan \(MAP\)](#) is a follow-up to the 2013 Forest Strategy, updating the challenges which the sector faces in line with the objectives for 2020. Forests are one of the most important land uses, covering about 40% of the EU total area, and have been expanding steadily over the last 50 years. The sector faces a number of challenges: increasing demand for forest biomass, threats to forest ecosystems due in particular to climate change, and more. In order to address these, the Forest MAP includes actions intended to enhance the essential ecosystem services provided by forests – such as flood, landslide and erosion protection, carbon sink, climate stabiliser, habitat for animals and plants, genetic resource, and recreational space.

EurActiv Article: [Commission's proposal for stricter thresholds in organic farming opposed](#) (07/10/2015)

The European Commission is considering stricter pesticide limits for organic products. The organic sector and the European Parliament are not in agreement. The background to proposals for revision were numerous scandals, which have shaken consumers' faith in producers.

EurActiv Infographic: [INFOGRAPHIC: How much greener is the new CAP?](#) (08/10/2015)

EurActiv Special Report: [Reformed CAP aims to respond to global food security challenge](#) (19/10/2015)

European Commission Press Release: ["Enjoy, it's from Europe": Over €100 million to promote European agriculture in 2016](#) (13/10/2015)

In 2016, European producers will benefit from programmes worth €111 million to find new markets and promote consumption outside and inside the EU. Promotion is a key part of the measures presented by the Commission to support farmers. "Enjoy, it's from Europe": the new promotion policy adopted today by the European Commission will help the sector's professionals break into or consolidate international markets and make European consumers more aware of the efforts made by European farmers. To achieve this goal, the Commission will make more resources available, will increase the co-financing rate and will cut the red tape for the approval of projects.

EurActiv Special Report: ['E-agriculture' could save EU farmers time and money](#)
(20/10/2015)

The introduction of new information and communications technologies in the EU agricultural sector could significantly contribute to its future sustainability, as well as the quality of life for farmers and consumers.

'Herdwatch is a cloud-based farming app which allows cattle farmers manage their beef or dairy herds via a smartphone, tablet or computer. It started 3 years ago in Ireland, as a small project between the FRS Network, a farmer-owned Irish co-operative, and their IT Manager, Fabien Peyaud, who came up with the initial concept, and conducted most of the research and development since.'

EurActiv Article: [Fisheries discard ban: Commission proposes plans for the Atlantic](#) (12/10/2015)

Today the Commission adopted two proposals to reduce the wasteful practice of [discarding](#) – throwing overboard unwanted fish – in the north western and south western waters of the Atlantic. These are temporary measures to phase out discarding and gradually put in place the [landing obligation](#), a key component of the EU's [reformed Common Fisheries Policy](#). The discard plans will apply from 1 January 2016 for a maximum period of three years. However, they may be revised to bring additional fisheries under the landing obligation.

European Court of Auditors News: [Fisheries agreements: “generally well managed but weaknesses must be addressed”](#) (20/10/2015)

Weaknesses in the management of EU fisheries agreements with third countries in Africa and the Indian Ocean are leading to higher prices for some of the fish caught, according to a new report from the European Court of Auditors. At the same time, a lack of reliable data is hampering the European Commission's efforts to ensure that EU vessels fish only the surplus resources of partner countries, says the report.

[Special Report No 11/2015: Are the Fisheries Partnership Agreements well managed by the Commission?](#)

EurActiv Article: [EU paid 600% too much for foreign fish, auditors find](#)
(20/10/2015)

EurActiv Opinion: [Implementation of EU nature legislation needs to be stepped up](#) (30/10/2015)

Luc Bas is Director of the Brussels office of the International Union for Conservation of Nature (IUCN).

'The issue lays not in our lack of policies and regulations to protect nature, as they are fit for purpose, but in the way that many Member States implement the legislation domestically. For example, the designation of (especially marine) protected areas and their subsequent management is still not optimal and needs special attention.'

EurActiv Article: [Consumer organisations expose misleading meat labelling](#) (04/11/2015)

Test samples by consumer organisations in seven EU countries have proven that meat-based food labels are often misleading to consumers.

Some of the ways meat producers misinform consumers include the use of illegal food additives, incomplete information about the percentage of meat in the product, as well as added water, confusing product names, and fraudulent use of other species, such as turkey kebab sold as veal.

The European Consumer Organisation issued a report, [Close up on the meat we eat, consumers want honest labels](#).

EurActiv Article: [Fishy business in EU canteens exposed](#) (04/11/2015)

Restaurants in Brussels are cheating customers by substituting cheaper fish in one out of three dishes, including under the noses of eurocrats in the European Union's own canteens, Oceana findings exposed.

[Oceana: One out of three fish served in Brussels is not what consumers pay for](#) (03/11/2015)

Transport



EurActiv Article: [Carmakers urge EU to delay new emissions limits by a year](#) (05/10/2015)

The European [Automobile Manufacturers' Association](#) (Acea) has lobbied for a one year delay to the introduction of planned EU limits on nitrogen oxide (NOx) emissions. NOx pollution, particularly from nitrogen dioxide, is responsible for 23,500 premature deaths in the UK every year, and the EU wants to introduce an 80mg per km emissions limit for all new cars and vans from 1 September 2018. Acea stated, in a letter to European ministers, that improvements to all new registrations could not be effectuated until 2019.

EurActiv Article: [European Parliament calls for inquiry into Volkswagen scandal](#) (06/10/2015)

EurActiv Article: [Romania to fine Volkswagen, preparing tax claim](#) (06/10/2015)

EurActiv Article: [Investors worried by 'toxic' transport lobbying](#) (16/10/2015)

The dieselgate scandal has sent share prices plummeting and led investors to demand explanations about the role of the 115 lobbyists employed by car manufacturers in Brussels.

EurActiv Article: [Dieselgate: More EU countries join call for stricter emission tests](#) (20/10/2015)

Austria, Denmark, France, the Netherlands, Slovenia and Luxembourg backed a letter urging the European Commission to thoroughly assess the consequences of the Volkswagen emissions scandal and to introduce real-driving tests swiftly. At issue is the date from which the real driving tests will be enforced. Officially, the real-life tests will begin in January 2016. In reality, the European Commission's proposal, which remains unofficial, would allow car companies until 2019 to fully implement the new standard.

European Commission Press Release: [MEPs ask EU Commission to monitor investigations into car emission test fraud](#) (27/10/2015)

Emissions testing fraud should be investigated thoroughly and those responsible should face appropriate sanctions, say MEPs in a resolution. They say that the EU emissions testing system should be strengthened to ensure that EU emission limits are respected and that vehicles exceeding these limits are discovered quickly. They also recommend considering whether to establish an EU-level surveillance authority.

EurActiv Article: [VW's 'dieselgate' puts spotlight on electric cars in Germany](#) (28/10/2015)

EurActiv Article: [Member states resist stricter controls on diesel car emissions](#) (29/10/2015)

European countries reached a compromise deal on new testing rules for cars that allows vehicles to carry on emitting more than twice the agreed pollution limits, despite an outcry caused by the Volkswagen emissions scandal.

Initially nitrogen oxide (NOx) readings, primarily associated with diesel cars, could exceed an 80 milligramme/kilometre limit by 60 percent before falling to 20 percent. Instead, the compromise sets a "conformity factor" of 2.1 from late 2017, meaning cars could emit more than twice the official limit. Two years later, it would fall to 1.5, the EU sources said, meaning vehicles could emit nitrogen oxides, associated with respiratory disease and premature death, up to 50 percent above the legal ceiling.

EurActiv Article: [VW scandal widens with new CO2 revelations](#) (04/11/2015)

Germany's Volkswagen has revealed that an internal probe had found that 800,000 more vehicles showed "inconsistencies" on carbon dioxide emissions, including the first petrol engines.

Waste



EurActiv Infographic: [INFOGRAPHIC: Food for thought: Reducing food waste](#) (12/10/2015)

'The UN estimates that 1/3rd of all food produced is lost or wasted. But where and how is food wasted?

56% occurs in the developed world, mostly at a consumption stage.

44% happens in the developing world, mostly at production, storage and handling stages.'

European Commission Press Release: [State aid: Commission approves UK pricing methodology for nuclear waste transfer contracts](#) (09/10/2015)

The European Commission has found that the pricing methodology for waste transfer contracts to be concluded between the UK Government and operators of new nuclear power plants is compatible with EU state aid rules.

This methodology establishes the price that operators of new nuclear plants in the UK will have to pay for the underground disposal of their spent fuel and intermediate level waste in a planned UK geological disposal site. It aims at ensuring that it will be the nuclear power operators – and not taxpayers – who bear the cost of disposing their nuclear waste and that they set aside sufficient funds to cover their future liabilities.

EurActiv Article: [New circular economy package takes shape](#) (29/10/2015)

The European Commission's new circular economy package will include fresh legislation on waste, fertilisers, and water reuse, "strong commitments" on Eco-design, strategies for handling plastics and chemicals, and "major" funding for innovation, internal Commission documents have revealed.

EurActiv Interview: [EEB: Disruptive businesses vital for ambitious circular economy](#) (02/11/2015)

Water



EurActiv Article: [EU regions' leadership in Ocean Energy under threat](#) (28/10/2015)

European regions in the United Kingdom, France, and Ireland are world leaders in pioneering ocean energy, but risk losing that status to international competitors, unless public support for the technology is stepped up.

European Commission Press Release: [EU introduces more efficient monitoring of drinking water for better protection of public health](#) (28/10/2015)

As a first step following the European Citizens' Initiative [Right2Water](#), [new rules amending Directive 98/83 on the quality of water intended for human consumption](#) were adopted, which provide flexibility to Member States as to how drinking water quality is monitored in around 100 000 water supply zones in Europe. This will allow for more focused, risk-based monitoring, while ensuring full protection of public health.

Colofon

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